

Remarks

Claims 1-34 are pending. The Applicants note with appreciation the allowance of Claims 1-5 and 13-17. The Applicants submit that Claims 6-12 and 18-34 are allowable as well.

Claims 6 and 8 have been rejected as anticipated under 35 USC 102(e) by US 7,269,182 to Carrel et al. Nowhere does Carrel et al show or suggest:

“establishing a unicast session between an intermediate device and a dedicated terminal”, and

“monitoring transmissions of said multicast data packets between said intermediate device and said a dedicated terminal by user devices; and
processing said multicast data packets by said dedicated terminal”,

all as specifically recited in Claim 6. Nowhere does Carrel et al show or suggest any dedicated terminal. All of hosts 101, 103, 105, 401, 403 and 405 communicate with network cloud 109, which may or may not communicate with access concentrator 111. It is therefore clear that none of the terminals of Carrel et al are dedicated, that is, permanently connected to a data processing system by a communication link that is used only to transmit information between the two, as defined by *McGraw-Hill Dictionary of Scientific & Technical Terms*, 6E, ©2003. It is therefore clear that Claim 6 is not anticipated by Carrel et al.

Claim 8 is dependent from Claim 6 and adds further advantageous features. The Applicants submit that this subclaim is patentable as its parent Claim 6.

Claims 7 and 10-12 have been rejected under 35 USC 103(a) as unpatentable over Carrel et al in view of US 2002/0143951 to Khan et al.

Similar to Carrel et al, nowhere does Khan et al show or suggest a dedicated terminal, as recited in Claim 6. It is therefore clear that even if the structure of Carrel et al were to be combined with the structure of Khan et al, the patentability of Claim 6 would not be affected. Claims 7 and 10-12 are dependent from Claim 6 and add further advantageous features. The Applicants submit that these dependent Claims are patentable as their parent Claim 6.

Claim 9 has been rejected under 35 USC 103(a) as unpatentable over Carrel et al in view of US 200300534340 to Chow. The Applicants are unable to locate this reference. The Applicants assume that the Examiner meant to cite US 2003/0053434 to Chow et al.

Nowhere does Chow et al show or suggest any dedicated terminal, as recited in Claim 6. It is therefore clear that even if the structure of Carrel et al were to be combined with the structure of Chow et al, the patentability of Claim 6 would not be affected. Since Claim 9 is dependent from Claim 6, the Applicants submit that Claim 9 is patentable as its parent Claim 6.

Claims 18 and 20 have been rejected under 35 USC 102(e) as anticipated by Carrel et al. Nowhere does Carrel et al show or suggest:

“means for establishing a unicast session between said intermediate device and a dedicated terminal”, and

“means for processing said multicast data packets by said dedicated terminal”,

as specifically recited in Claim 18. As explained above, nowhere does Carrel et al show or suggest a dedicated terminal. It is therefore clear that the patentability of Claim 18 is not affected by Carrel et al.

Claim 20 is dependent from Claim 18 and adds further advantageous features. The Applicants therefore submit that Claim 20 is patentable as its parent Claim 18.

Claim 19 has been rejected under 35 USC 103(a) as unpatentable over Carrel et al in view of Khan et al. Nowhere does either Carrel et al or Khan et al show or suggest a dedicated terminal, as recited in Claim 18. It is therefore clear that even if the structures of Carrel et al and Khan et al were to be combined, the patentability of Claim 18 would not be affected. Since Claim 19 is dependent from Claim 18 and adds further advantageous features, the Applicants submit that Claim 19 is patentable as its parent Claim 18.

Claim 21 has been rejected under 35 USC 103(a) as unpatentable over Carrel et al in view of Chow et al. Nowhere does either Carrel et al or Chow et al show or suggest a dedicated terminal, as discussed above, and as recited in Claim 20. Since Claim 21 is dependent from Claim 20 and adds further advantageous features, the Applicants submit that Claim 21 is patentable as its parent Claim 20.

Claims 22-24 have been rejected under 35 USC 103(a) as unpatentable over Carrel et al in view of Khan et al. Nowhere does either reference show or suggest a dedicated terminal, as explained above and recited in Claim 18. It is therefore clear that even if the structures of Carrel et al and Khan et al were to be combined, the patentability of Claim 18 would not be affected. Since Claims 22-24 are dependent from Claim 18, the Applicants submit that these subclaims are patentable as their parent Claim 18.

Claims 25 and 26 have been rejected under 35 USC 103(a) as unpatentable over Carrel et al in view of Khan et al. Neither Carrel et al nor Khan et al show or suggest:

“monitoring transmissions of said multicast data packets to do determine whether said identified multicast data packets are being transmitted in an already established unicast session”,

as specifically recited in Claim 25. Carrel et al does not determine whether identified packets are being transmitted in unicast. Rather, Carrel et al directs a host to a separate multicast channel. In Figures 1 and 2, the separate channel carries only multicast packets. Figure 2 of Carrel et al does not transmit multicast data packets in a unicast session.

In Khan et al, a unicast client may join a multicast group by sending a join message to a source server. The source server selects an agent who reformats a multicast packet and sends a unicast packet to a recipient. See ¶0012. Nowhere does Khan et al transmit multicast packets in a unicast session.

It is therefore clear that even if the structures of Carrel et al and Khan et al were to be combined, the combination would not show or suggest the invention defined by Claim 25.

Claim 26 is dependent from Claim 25 and adds further advantageous features. The Applicants submit that Claim 26 is patentable as its parent Claim 25.

Claim 27 has been rejected under 35 USC 102(e) as anticipated by Carrel et al. Nowhere does Carrel et al show or suggest:

“establishing a unicast session with a dedicated terminal”, and
“processing said multicast data packets by said dedicated terminal”,

as specifically set forth in Claim 27. As explained above, nowhere does Carrel et al show or suggest a dedicated terminal. It is therefore clear that Carrel et al does not affect the patentability of Claim 27.

Claim 28 has been rejected under 35 USC 103(a) as unpatentable over Carrel et al in view of Khan et al. Neither Carrel et al nor Khan et al show or suggest:

“establishing a unicast session with a dedicated terminal”, and
“processing said multicast data packets by said dedicated terminal”,

as specifically set forth in Claim 27. As explained above, nowhere does Carrel et al show or suggest a dedicated terminal. Furthermore, nowhere does Khan et al show or suggest a dedicated terminal. It is therefore clear that even if the structures of Carrel et al and Khan et al were to be combined, the combination would not affect the patentability of Claim 27. Claim 28 is dependent from Claim 27 and adds further advantageous features. The Applicants therefore submit that Claim 28 is patentable as its parent Claim 27.

Claims 29-31 have been rejected under 35 USC 102 as anticipated by US 2002/0143951 to Khan et al. Nowhere does Khan et al show or suggest:

“means for encapsulating said multicast data packets in a unicast frame”,

as specifically set forth in Claim 29. The Applicants agree with the Examiner that Khan et al shows means for encapsulating multicast data packets in a unicast packet. However, nowhere does Khan et al show or suggest

encapsulating multicast data packets in a unicast frame. Rather, Khan et al uses unicast packets without any frame. See ¶0022 of Khan et al. It is therefore clear that Khan et al does not affect the patentability of Claim 29.

Claims 30 and 31 are dependent from Claim 29 and set forth further advantageous features. The Applicants therefore submit that these subclaims are patentable as their parent Claim 29.

Claim 32 has been rejected under 35 USC 102(b) as anticipated by Khan et al. Nowhere does Khan et al show or suggest:

“means for encapsulating said multicast data packets in a unicast frame”,

as specifically set forth in Claim 32. Rather, as pointed out above, Khan et al uses unicast packets without any frame. See ¶0022 of Khan et al. It is therefore clear that Khan et al does not affect the patentability of Claim 32.

Claims 33 and 34 are dependent from Claim 32 and add further advantageous features. The Applicants submit that these subclaims are patentable as their parent Claim 32.

The Applicants appreciate the Examiner's indication that Claims 1-5 and 13-17 are allowed. The Applicants submit that Claims 6-12 and 18-34 are also allowable.

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The Applicants submit that the instant application is in condition for allowance. A notice to that effect is respectfully solicited.

Respectfully submitted,
Guillaume Bichot et al

by /Daniel E. Sragow/
Daniel E. Sragow, attorney
Reg. No. 22,856

Thomson Licensing LLC
Patent Operations
P.O. Box 5312
Princeton, New Jersey 08543-5312
Date: __111209_____